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## UNITED STATES DISTRICT COURT - SOUTHERN DISTRICT OF NEW YORK

ILLINOIS NATIONAL INSURANCE COMPANY; THE INSURANCE COMPANY OF THE STATE OF PENNSYLVANIA; NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA; and THE METROPOLITAN TRANSPORTATION AUTHORITY,

Plaintiffs,

CASE NO: 1:11-cv-00431-PKC

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TUTOR PERINI CORPORATION,

Defendant.

## ACCEPTANCE OF SERVICE OF FIRST AMENDED COMPLAINT, AND CONSENT TO BE NAMED AS PLAINTIFF

To: John D. Hughes

I have received your request to waive service of the First Amended Complaint in this action.

The Metropolitan Transportation Authority waives service of process and accepts service of the First Amended Complaint.

In addition, the Metropolitan Transportation Authority consents to its inclusion in this action as a named Plaintiff.

Date: July <u>12</u>, 2011

METROPOLITAN TRANSPORTATION AUTHORITY

By:

Diane J. Morgenroth

Title: Chief, Commercial Litigation Unit New York City

Transit Authority

Attorney for Plaintiff, the Metropolitan

Transportation Authority

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